

BRIAN J. STRETCH (CABN 163973)
Acting United States Attorney

DAVID R. CALLAWAY (CABN 121782)
Chief, Criminal Division

BRIAN R. FAERSTEIN (CABN 274850)
Assistant United States Attorney

450 Golden Gate Ave., Box 36055
San Francisco, California 94102
Telephone: (415) 436-6473
Fax: (415) 436-7234
E-Mail: brian.faerstein@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	Case No. CR 16-00044 WHA
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER
v.)	EXCLUDING TIME FROM FEBRUARY 16,
)	2016, TO MARCH 15, 2016
LEONARD NATHANIEL HEATH,)	
)	
Defendant.)	
)	
)	

The United States of America, by and through Assistant United States Attorney Brian R. Faerstein, and defendant Leonard Nathaniel Heath, by and through defense counsel Daniel Blank, hereby stipulate that, with the Court's approval, the time between February 16, 2016 and March 15, 2016 is excludable under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for effective preparation of counsel.

The parties appeared before the Court on February 16, 2016, at 2:00 p.m., for an initial status hearing in this proceeding. Upon the request of the parties, the Court set a further status hearing in this matter for March 15, 2016, at 2:00 p.m. Upon the representation of counsel for the defendant that he

needed additional time to review discovery and conduct necessary investigation, the defendant requested that time be excluded under the Speedy Trial Act between February 16, 2016 and March 15, 2016, for effective preparation of counsel, under 18 U.S.C. § 3161(h)(7)(B)(iv). The government had no objection to this request.

The parties stipulate that the failure to exclude would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence under 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate that the requested exclusion of time, from February 16, 2016 to March 15, 2016, is in the interests of justice and outweighs the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

IT IS SO STIPULATED.

Dated: February 17, 2016

BRIAN J. STRETCH

Acting United States Attorney

____/s/_____

BRIAN R. FAERSTEIN

Assistant United States Attorney

Dated: February 17, 2016

____/s/_____

DANIEL BLANK

Attorney for LEONARD NATHANIEL HEATH

Attestation of Filer

In addition to myself, the other signatory to this document is Daniel Blank. I hereby attest that I have his permission to enter a conformed signature on his behalf and to file this document.

Dated: February 17, 2016

____/s/_____

BRIAN R. FAERSTEIN

Assistant United States Attorney

//

//


//

[PROPOSED] ORDER

Based upon the representation of counsel and for good cause shown, the Court finds that failing to exclude the time between February 16, 2016 and March 15, 2016, would unreasonably deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time between February 16, 2016 and March 15, 2016, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.

Therefore, IT IS HEREBY ORDERED that the time between February 16, 2016 and March 15, 2016, shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

DATED: February 22, 2016.



HONORABLE WILLIAM ALSUP
United States District Judge